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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,490	09/15/2003	Jacob de Baan	BLUE.65449	9216
27629 7590 03/10/2008 FULWIDER PATTON LLP 200 OCEANGATE, SUITE 1550 LONG BEACH, CA 90802				
EXAMINER				
VASUDEVA, AJAY				
ART UNIT		PAPER NUMBER		
3617				
MAIL DATE		DELIVERY MODE		
03/10/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/662,490

Applicant(s)

BAAN, JACOB DE

Examiner

Ajay Vasudeva

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-12 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Petition Decision

1. Applicant's petition to withdraw holding of abandonment of the instant Application has been granted (see the Petition decision dated Dec 10, 2007). As such, this Application has now been revived.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by GB 2328196 A ('196).

GB ('196) shows an apparatus (*see fig. 1*) for mooring a floating vessel over a seabed, having a floating dock [13, 19] with a thruster [21], wherein the floating dock comprises a rigid arm [13] and a float [19]. Because the float portion of the floating dock is partly submerged, the floating dock is considered to be semi submerged. A rigid connecting member [14] connects the dock to a single point mooring system [10] (*see fig. 2*). The dock is pivotally attached to the connecting member (*see page 5, lines 13-26*), and the single point mooring system is attached to the seabed by a compliant anchoring system. The floating dock further comprises buoyancy means [19].

Regarding the limitation "single point mooring system", Applicant may note that such is merely a mechanism that allows a mooring at a single point. In the present case, the ship

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structure [10] is clearly shown as being used for mooring other vessels at a single point (fig. 1), and therefore qualifies as a single point mooring system.

4. Claims 1, 2, 4-8 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by FR 2579558 A ('558).

FR ('558) shows an apparatus (*see fig. 1 and 5*) for mooring a floating vessel over a seabed, comprising a semi submerged floating dock [13] with a winch [18], a single point mooring system [1] and a rigid connecting member [11] connecting the dock to the single point mooring system. The dock is pivotally attached to the connecting member and the single point mooring system is attached to the seabed by a compliant anchoring system [5]. The floating dock further comprises variable buoyancy means [19] (*see fig. 4*).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5, 6 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over GB 2328196 A ('196).

GB ('196) shows the single point mooring vessel attached to the seabed (*see fig. 1*). However, GB ('196) does not expressly show the single point mooring vessel comprising a floating buoy, or the buoy attached to the seabed by three equi-spaced anchor leg groups. Additionally, the single point mooring vessel does not show a winch mechanism.

The examiner takes Official notice that it is common and extremely well known in the art to provide a swiveling floating buoy – also known as a spider – to pivotably moor a vessel, such as the single point mooring vessel shown in fig. 1, and to attach the buoy to the seabed by at least three equi-spaced anchor leg groups. Therefore, it would have been obvious for one skilled in the art at the time of the invention to provide a swiveling floating buoy with the single point mooring vessel of GB ('196) so as to allow it to effectively weathervane, without damaging the riser. Further, it would have been obvious for one skilled in the art at the time of the invention to attach the buoy to the seabed by three equi-spaced anchor leg for achieving balanced and effective anchoring. Regarding the use of winch mechanism on sea vessels, such is notoriously old and well known in the art. A provision of such winch mechanism would not only have assisted material handling on the vessel, but also would have been capable of attachment – and therefore attachable -- to another vessel and operable to facilitate entry of the vessel into the dock.

Note: Because Applicant did not challenge or adequately traverse the Official Notice taken by the Examiner in the previous Office action, the limitation under Official Notice is now considered as admitted prior art.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over FR 2579558 A ('558) in view of GB 2328196 A ('196).

FR ('558) shows a semi submerged floating dock, but does not show a thrust producing device to facilitate movement of the dock.

GB ('196) shows a semi submerged floating dock having a thrust producing device [21] to selectively move of the dock.

It would have been obvious for one skilled in the art at the time of the invention to provide the floating dock of FR ('558) with a thruster, as taught by GB ('196). Having such an arrangement would have enabled one to efficiently maneuver the floating dock for an easy and quick engagement with an incoming ship.

Allowable Subject Matter

8. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

9. Applicant's arguments filed 8/24/2007 have been fully considered but they are not persuasive.

Rejection based on GB 2328196 ('196)

Applicant's argument: Applicant has argued that the rigid arm 13 of the '196 reference cannot be considered equivalent to the "semi-submerged" floating dock because the rigid arm is either located at a depth greater than the draught of both floating vessels or on the water surface extended between each.

Response: The rigid arm [13] and the float [19] are together considered to be the floating dock [13, 19]. Because the float portion of the floating dock is partly submerged, the floating dock is considered to be semi submerged.

Applicant's argument: Applicant has stated that the vessel 10 is typically either a ship or an oil rig, and has argued that the "complex structure" of either a ship or an oil rig cannot be considered to be a single point mooring system.

Response: Applicant may note that a single point mooring system is merely a mechanism that allows a mooring at a single point so as to facilitate a vessel to weathervane in response to external forces. In the present case, the ship structure 10 is connected to the seabed by a compliant anchoring system and offers a mechanism for mooring other vessels at a single point. As such, it is clearly a "single point mooring system". Further, regarding the assertion that the vessel 10 is a "complex structure", such argument is not persuasive because the language of claim does not preclude the use of any "complex" structure. The ship structure 10 is clearly shown as being used for mooring other vessels at a single point (fig. 1), and therefore qualifies as a single point mooring system.

Applicant's argument: Applicant has argued that it is inappropriate to consider the vessel 10 as a rigid connecting arm.

Response: Examiner believes that the Applicant has mistakenly assumed the vessel 10 of GB '196 as an equivalent of the rigid connecting arm set forth in the claim. In fact, the vessel 10 is being equated to a single point mooring system. It is the longitudinal member [14] that is being considered as a "rigid connecting arm" (see fig. 2; and page 5, lines 13-26).

Applicant's argument: Applicant admitted that GB '196 showed thrusters 21, but argued that these elements were not in conjunction with a floating dock "attached by rigid arms to a single point mooring system".

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Response: Applicant is requested to see the above responses regarding the floating dock being attached by rigid arms to a single point mooring system.

Applicant's argument: Regarding claim 4, applicant's arguments is considered persuasive. Therefore, the rejection based on GB '196 has been withdrawn. However, the claim has now been rejected on new ground(s) in view of FR '558.

Conclusion

10. The prior art made of record in the attached PTO Form 892, but not yet relied upon, is considered pertinent to applicant's disclosure.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajay Vasudeva whose telephone number is (571) 272-6689. The examiner can normally be reached on Monday-Friday 12:00 – 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, S. Joe Morano can be reached on (571) 272-6684. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ajay Vasudeva/
Primary Examiner
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